

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DEMETRIC SCOTT,

Plaintiff,

v.

WISCONSIN DEPARTMENT OF
CORRECTIONS,

Defendant.

ORDER

Case No. 15-cv-401-jdp

DEMETRIC SCOTT,

Plaintiff,

v.

DAVID A. CLARKE, JR. et al.

Defendants.

ORDER

Case No. 15-cv-402-jdp

DEMETRIC SCOTT,

Plaintiff,

v.

SCOTT WALKER,

Defendant.

ORDER

Case No. 15-cv-403-jdp

DEMETRIC SCOTT,

Plaintiff,

v.

MILWAUKEE POLICE DEPARTMENT,

Defendant.

ORDER

Case No. 15-cv-404-jdp

On July 6, 2015, I entered an order in these four cases directing plaintiff to submit by July 27, 2015, an initial partial payment of the filing fee for each case in the amount of \$10.43. Now plaintiff has filed a motion to waive the initial partial filing fees. (Dkt. #5)

Plaintiff's request will be denied. In calculating the amount of plaintiff's initial partial payment in these cases, I used the trust fund account statement he submitted in support of his motion for leave to proceed without prepaying the fee. This statement showed that for the period immediately preceding the filing of the complaint in this case, plaintiff received a deposit of \$312.78. I was able to calculate plaintiff's average monthly deposits for that time period to be \$52.13; twenty percent of that amount is \$10.43. Because this court is bound by the provisions of the Prison Litigation Reform Act and because it is clear plaintiff's initial partial payment was calculated correctly pursuant to these provisions, his motion for the court to waive the \$10.43 initial partial filing fees must be denied.

With an enlargement of time, plaintiff may be able to pay his initial partial fees. Therefore, plaintiff may have until August 18, 2015 to submit the \$10.43 initial partial payments. If plaintiff should choose to submit payments to proceed with only some of his cases, he should take care to note with the payment to which case he would like the payment to be applied. If, by August 18, 2015, plaintiff has not made the initial partial payment(s), then I will conclude that he has withdrawn these actions and he will not owe any filing fee at all. In that event, if, at some future time, enough time elapses that a six-month trust fund account statement would show that he has no means to make an initial partial payment, he would be free to file a new lawsuit or a motion to reopen the case.

ORDER

IT IS ORDERED that: Plaintiff's requests for the court to waive the initial partial payment in each of these four cases (dkt. #5) is DENIED. Plaintiff may have an enlargement of time to August 18, 2015, in which to submit a check or money order payable to the clerk of court in the amount of \$10.43 for each of his cases. If, by August 18, 2015, If plaintiff fails to respond to this order, or show cause for failure to do so, plaintiff will be held to have withdrawn this action voluntarily and the case will be closed without prejudice to plaintiff's filing this case at a later date.

Entered this 17th day of July, 2015.

BY THE COURT:

/s/

PETER OPPENEER
Magistrate Judge